

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Richard S. Crosby

v.

Civil No. 23-cv-108-LM

United States Social
Security Administration

ORDER

Richard S. Crosby, who is proceeding pro se and in forma pauperis, filed a complaint challenging the decision of the Social Security Administration (“SSA”) denying his application for social security benefits. On February 10, 2023, the Magistrate Judge recommended that the court dismiss Crosby’s complaint (doc. nos. 1 and 4) with prejudice because it is barred by the applicable statute of limitations. The same day, Crosby filed several additional exhibits in support of his complaint (doc. no. 5).

Crosby also filed a motion in which he requests that the court continue all deadlines in this case until the case is unsealed or until the court sends him a copy of the report and recommendation “to the correct address” (doc. no. 8). In addition, Crosby filed a motion asking “for judicial review using discovery rule and SSA 60 day rule review” (doc. no. 9); a “motion to request a preliminary hearing” (doc. no. 10); and a “motion to reconsider” (doc. no. 11). For the reasons that follow, the court denies the motion to continue (doc. no. 8), construes Crosby’s other motions (doc. nos. 9, 10, and 11) as objections to the Magistrate Judge’s February 10 report and recommendation, and approves the report and recommendation.

First, in his motion to continue, Crosby contends that the court did not mail the report and recommendation to the correct address. To the contrary, the court mailed the report and recommendation to the address Crosby provided. Furthermore, Crosby seems to acknowledge receipt of the report and recommendation as he filed several documents seemingly in response to the report and recommendation (see doc. nos. 9, 10, and 11). Therefore, Crosby's motion to continue all deadlines until the court sends him a copy of the report and recommendation (doc. no. 8) is denied.

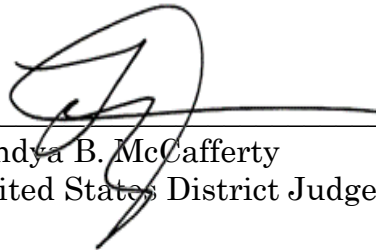
Second, the court construes Crosby's other motions (doc. nos. 9, 10, and 11) as objections to the report and recommendation. The court has reviewed the report and recommendation de novo, and the court has considered the additional supporting exhibits filed by Crosby (doc. no. 5), which the Magistrate Judge may not have had the opportunity to consider since they were filed on the same day as her recommendation. Crosby's additional exhibits and objections only confirm that Crosby challenges the SSA's 2015 decision denying his application after reopening his case and that his February 8, 2023 complaint in this case is barred by the statute of limitations. 42 U.S.C. § 405(g). Accordingly, the court approves the report and recommendation (doc. no. 7) issued on February 10, 2023.

Finally, this is the third case Crosby has filed in this court seeking judicial review of the same actions by the Social Security Administration. See Crosby v. Social Security Admin., No. 22-cv-234-SE, 2022 WL 3544370, at *1-*2 (D.N.H. Aug. 18, 2022); Crosby v. Social Security Admin., No. 22-cv-469-SM, 2022 WL 18863950,

at *1-*2 (D.N.H. Nov. 21, 2022). Crosby is cautioned that the matter has been decided and repetitive filings will not change that result.

All pending motions are denied. The clerk of court shall enter judgment accordingly and close the case.

SO ORDERED.



Landya B. McCafferty
United States District Judge

March 6, 2023

cc: Richard S. Crosby, pro se.